

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: El-Sherbeini, et al.

Serial No.: 10/070,778 Case No.: 20194P

Art Unit:

Filed: March 7, 2002

Examiner:

For: MURF GENE AND ENZYME OF  
PSEUDOMONAS AERUGINOSACommissioner for Patents  
Washington, D.C. 20231RESPONSE TO COMPLY WITH SEQUENCE REQUIREMENT

Sir:

This is in response to the Notice of Defective Response dated January 13, 2003. No Extension of Time is believed to be required for the filing of this Response. However, Applicant Petitions for any Extension of Time found to be necessary for the filing of this response. The Commissioner is authorized to charge Deposit Account 13-2755 for the Petition fee and any other fee(s) required to effect this Petition.

## EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT Feb 11, 2003EXPRESS MAIL NO. EL520788974US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

MAILED BY Dore SchepersDATE Feb 11, 2003

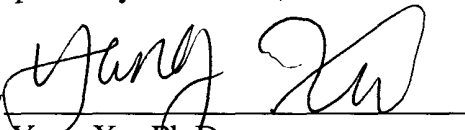
The following statements are made as required by 37 C.F.R. § 1.821(f).

I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821 (c) and (e), respectively, are the same and contain no new matter.

CONDITIONAL PETITION

Applicant hereby makes a Conditional Petition for any relief available to correct any defect in connection with this filing, or any defect remaining in this application after this filing. The Commissioner is authorized to charge deposit account 13-2755 for the petition fee and any other fee(s) required to effect this Conditional Petition.

Respectfully submitted,

By 

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Date: February 11, 2003

DOCKETED

20194P



UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 04 2003

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20531  
 www.uspto.gov

LORI SCHEPISI

PATENT DEPARTMENT

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,778	Mohamed El-Sherbeini	20194P

FEB -4 2003

YANG XU

 Merck & CO INC  
 Patent Department RY60-30  
 P O Box 2000  
 Rahway, NJ 07065-0970

*Notice of Missing  
Parts - Sequence  
due 2-13-03*

INTERNATIONAL APPLICATION NO.	
PCT/US00/24437	
IA FILING DATE	PRIORITY DATE
09/06/2000	09/10/1999

CONFIRMATION NO. 9665

371 FORMALITIES LETTER



\*OC00000009260447\*

Date Mailed: 01/13/2003

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

Applicant's response filed 09/23/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/19/2002 have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Softwar Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,778	PCT/US00/24437	20194P

FORM PCT/DO/EO/916 (371 Formalities Notice)